3/15/82

Dear Harold,

By the time this reaches you, I hope that you will have already received the copy of Judge Veale's latest surprise which I sent to you. I write this separately because I wanted some additional time to reflect.

I am somewhat chagrined, because the judge obviously doesn't think too highly of my intelligence or legal skills, otherwise he would have properly denied DOJ's first summary judgment motion in toto a year ago for lack of sworn affidavits on personal knowledge, and allowed me to develop my own case without constraints. Veale now raises exactly the same problems which I put into handwritten strategy notes which I placed in my file on this case 2½ years ago! I didn't paint them out in earlier affidavits because I saw no need to tip my hand. Anyway, and however haphazardly, we have now arrived on the desired ground. I have been spared an expensive and time-consuming effort to close the doors of all other possible Halperin components of DOJ. Things are about to get really nervous!

The remaining prime difficulty seems to be the judge's preference to resolve this case on motion papers alone. I am already thinking in terms of a second set of interrogatories seeking general information on the FBI's file systems. Anticipating that the FBI will limit its search to a check of the CRS general index, I do want to be prepared to raise the argument that the records I have requested might not be accessible through that method.

Hope to speak with you soon.

Best,

Roger.

P.S. I will write to you further concerning your latest round with Buckley, but right now I feel like roller skating, and trying to imagine what it must be like to be Brendan Shea this week.

RF